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MAIL STOP PCT-MISSING PARTS

Attorney Docket: 27058U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

McStay et al.

International Application Number: PCT/EP2005/002270

Serial Number: 10/591,611

International Filing Date: 2 March 2005 (02.03.2005)

Filing Date: September 5, 2006

Title: FLUOROMETER

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Transmittal Letter;
- 2) Copy of Notification of Missing Requirements Under 35 U.S.C. 371;
- 3) Petition for 3 month Extension of Time;
- 4) Executed Declaration signed by two of the four inventors;
- 5) **Petition Under 37 C.F.R. 1.47(a) for Filing When an Inventor Refuses to Sign;**
- 6) Annex A, Statement by Mr. Alan Wallace, a person with firsthand knowledge;
- 7) Annex B, Copy of letter to Mr. Forte by recorded delivery on July 16, 2007;
- 8) Annex C, Proof of Delivery to Mr. Forte by Royal Mail Recorded Delivery;
- 9) Annex D, Copy of letter to Mr. Greenway by recorded delivery on July 16, 2007;
- 9) Annex E, email of 26 July 2007 from Mr. Greenway;
- 10) Check No. SoS7 \$ 200.00 for Petition Fee Under 37 CFR 1.17(g);
- 11) Check No. SoS8 \$ 525.00 for 3 month extension of time fee as a small entity;
- 12) Check No. SoS9 \$ 65.00 surcharge for late filing of executed Declaration.

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65.00 OP

Respectfully submitted,
THE NATH LAW GROUP

Date: October 15, 2007

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GMN/JLM/DR/dd:Non-SigningInv_NMR_FR&Trans

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|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/591,611 | Daniel McStay | 27667U |
| INTERNATIONAL APPLICATION NO. | | |
| PCT/EP05/02270 | | |
| I.A. FILING DATE | | PRIORITY DATE |
| 03/02/2005 | | 03/05/2004 |
| CONFIRMATION NO. 3396 | | |
| 371 FORMALITIES LETTER | | |
| *OC000000023843612* | | |

Date Mailed: 05/14/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/05/2006
- Copy of the International Search Report filed on 09/05/2006
- Preliminary Amendments filed on 09/05/2006
- Oath or Declaration filed on 09/05/2006
- Request for Immediate Examination filed on 09/05/2006
- U.S. Basic National Fees filed on 09/05/2006
- Priority Documents filed on 09/05/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

CHRISTINE S WASHINGTON

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PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/591,611 | PCT/EP05/02270 | 27667U |

FORM PCT/DO/EO/905 (371 Formalities Notice)